

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**HOLLEY C. GAINES**

**PLAINTIFF**

V.

**NO. 3:20-CV-320-DMB-RP**

**COPART, INC.**

**DEFENDANT**

**ORDER**

On December 3, 2021, Copart, Inc. filed an “Application to Confirm Arbitration Award.”<sup>1</sup> Doc. #14. Copart represents that it and Holly C. Gaines “arbitrated [their employment] dispute, which included comprehensive written discovery and depositions by both parties [and on] November 11, 2021, the arbitrator granted [its] unopposed motion for summary judgment and entered an award in favor of [it].” *Id.* at 1. Copart asks the Court to “enter judgment on the Arbitration Award … and dismiss this action with prejudice.” *Id.* at 2. Although Copart does not mention whether Gaines opposes the relief requested,<sup>2</sup> Gaines did not file a response in opposition and the time to do so has passed.

Under 9 U.S.C. § 9, “any time within one year after the award is made any party to the arbitration may apply to the court … for an order confirming the award, and thereupon the court must grant such an order unless the award is vacated, modified, or corrected.” Because Copart’s application is timely and there is nothing indicating the arbitration award has been vacated, modified, or corrected, the application to confirm the arbitration award [14] is **GRANTED**. The arbitration award is **CONFIRMED** and this case is **DISMISSED with prejudice**.

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<sup>1</sup> The Court granted the parties’ joint motion to refer this case to arbitration on January 6, 2021. Doc. #9.

<sup>2</sup> However, a proposed order confirming the arbitration award which was signed by both Gaines’ counsel and Copart’s counsel was submitted to the Court.

**SO ORDERED**, this 22nd day of December, 2021.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**